IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE EIGHTEENTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION NO : 5127 of 2004

Between:

Bala Basava Sankar Rao, S/o. Late Sri Sitaramaiah,
R/o. Bobbaralanka Village, Mopidevi Mandal, Krishna District.

..... PETITIONER

AND

1.The Deputy Registrar of Cooperative Societies, Machilipatnam,

Krishna District.
2.The Kokkiligadda Primary Agricultural Cooperative Society,

Kokkiligadda, Kokkiligadda Mandal, Krishna District, rep., by

its Secretary.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of Writ of Certiorari by a] calling for the records relating to and connected with MP 46 of 2004, MA 19 of 2004 in OA. No.28 of 2004, MA 20 of 2004 in OA. No.29 of 2004 and MA.No.21 of 2004 in OA.No.30 of 2004 on the file of the A.P. Cooperative Tribunal at Vijayawada and quash or set aside the same by holding it as arbitrary and illegal and consequently; b] direct the Cooperative Tribunal at Vijayawada to accept the immovable property as Security instead of cash towards 50% of the surcharge amount in MP 46 of 2004; MA 19 of 2004 in OA. 28 of 2004; MA No.20 of 2004 in OA 29 of 2004 in MA 21 of 2004 in OA 30 of 2004 on the file of the A.P. Cooperative Tribunal at Vijayawada.

Counsel for the Petitioner: MR.NUTY RAM MOHAN RAO

Counsel for the Respondent No.1: GP FOR COOPERATION

Counsel for the Respondent No.2: Ms.Bobba Vijaya Lakshmi

The Court made the following:

ORDER:

Heard both sides. At their request, the main Writ Petition itself is taken up for disposal.

In this Writ Petition, the petitioner sought for Writ of Certiorari as against the orders passed in Miscellaneous applications in the regular appeals before the A.P. Cooperative Tribunal at Vijayawada. This Court granted interim status-quo on 26.03.2004.

After hearing the counsel on either side, especially having regard to the facts and circumstances that the appeals are pending, there is no need to go into the merits of the case. Further more, it is appropriate to direct the A.P. Cooperative Tribunal to dispose of the main appeals itself.

Accordingly, the Writ Petition is disposed of, directing the A.P. Co-operative Tribunal, Vijayawada to dispose of the appeals i.e., O.A.Nos.28, 29 and 30 of 2004, within a period of four weeks from the date of receipt of this Order. It is needless to mention that till the disposal of the said appeals, the petitioner shall not alienate any properties and the interim status quo granted earlier, shall continue till then.

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(**B.PRAKASH RAO, J**)

18th AUGUST 2004

BSS/SKMR

To

1.The Deputy Registrar of Cooperative Societies, Machilipatnam,

Krishna District.
2. The Secretary, The Kokkiligadda Primary Agricultural

Cooperative Society, Kokkiligadda, Kokkiligadda Mandal,

Krishna District,

3.2CCs to G.P. for Cooperation, High Court Buildings, Hyderabad

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